

BEFORE THE NEW MEXICO PUBLIC REGULATION COMMISSION

**IN THE MATTER OF NEW MEXICO GAS)
COMPANY INC.'S APPLICATION FOR THE)
ISSUANCE OF A CERTIFICATE OF PUBLIC)
CONVENIENCE AND NECESSITY TO CONSTRUCT)
A LIQUIFIED NATURAL GAS FACILITY.)**

NEW MEXICO GAS COMPANY, INC.,)

APPLICANT.)

Docket No. 22-00309-UT

ORDER SCHEDULING PUBLIC COMMENT HEARING

THIS MATTER comes before the New Mexico Public Regulation Commission (“Commission” or “NMPRC”) upon its own motion to schedule a public comment hearing in this matter.

DISCUSSION

1. The Hearing Examiner, on August 14, 2023, issued the “Second Procedural Order” which provided in Decretal Paragraph O: “Interested persons who are not affiliated with a party may make oral or written comment as allowed by Rule 1.2.2.23(F) NMAC. Given the significant public attention involving this matter, the Commission shall schedule a public comment hearing for a date and time yet to be determined.”

2. On September 21, 2023, the Commission issued the “Order Denying Stipulation of Settlement and Requiring a Hearing on the Merits and Amended Second Procedural Order” which did not amend Decretal Paragraph O from the Second Procedural Order.

3. The Commission’s procedural rules allow the public to make oral statements on the record. 1.2.2.23(F) NMAC; 1.2.2.32(A)(2) NMAC.

4. The procedural rules further require that reasonable “notice shall be given to all parties of the time and place of every public hearing scheduled by the commission or presiding officer.” 1.2.2.24(C) NMAC.

5. Finally, the Commission’s procedural rules provide that,

The commission or presiding officer may require that public notice also be given. When public notice is required, it shall be published in a newspaper having general circulation in the area affected by the filed pleadings at least twenty (20) days prior to the date of the public hearing, unless otherwise provided by rule, or if the commission or presiding officer finds that circumstances warrant shorter notice. The party who is required to publish notice shall cause to be filed, on or before the date of public hearing, an affidavit of publication of a responsible officer of the newspaper making such publication. The party required by the commission or presiding officer to publish the notice shall bear the cost of such publication.

Id.

6. The Commission finds that a public comment hearing on this matter should be held on November 20, 2023, and that New Mexico Gas Company, Inc. (“NMGC”) should be required to provide public notice of the public comment hearing under Rule 1.2.2.24(C) NMAC.

IT IS THEREFORE ORDERED:

A. A public comment hearing shall be held on November 20, 2023, from 3:00 P.M. to 7:00 P.M., which duration may be extended at the Commission’s discretion, at the Sandoval County Commission Chambers located at 1500 Idalia Rd. Bldg. D, Bernalillo, NM 87004.

B. NMGC shall, by October 31, 2023, at its sole expense, cause notice of the November 20th public comment hearing to be published once in newspapers of general circulation sufficient for availability in every county where NMGC provides service, to be emailed to NMGC’s customers, to be posted on NMGC’s social media accounts, and to be posted on NMGC’s website. Publication in newspapers of general circulation shall be no smaller than a one-half page advertisement space.

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C. Any interested persons who are not affiliated with a party in this Docket may make oral comment in person, via the Zoom app, or by telephone. Persons making oral public comment in person do not need to sign up in advance but do need to sign in by hand on the sign-up sheet at 1500 Idalia Rd. Bldg. D, Bernalillo, NM 87004.

D. To register for public comment via telephone and/or Zoom, and to receive the call-in number and/or Zoom invite, please contact Patrick Rodriguez via email at public.comment@prc.nm.gov or by phone at (505) 490-7910. The Commission requests, but does not require, your registration the day before the public comment hearing. After registration, you will receive the call-in number and Zoom invitation to join the public comment hearing by separate e-mail at some time before noon on November 20, 2023. Please let Mr. Rodriguez know if your Zoom username is different than the name you supply to register. If you do not know whether your Zoom username is different than your actual name, please take steps now to figure this out before you contact Mr. Rodriguez. If you intend to appear at the public comment hearing by telephone, please provide Mr. Rodriguez with your telephone number so that he may correlate that number to your name. The invitation e-mail will have the subject name "Docket No. 22-00309-UT: NM Gas Co. LNG Facility CCN Application - Public Comment Hearing." Mr. Rodriguez shall function as meeting host. If on the day of the hearing you have difficulties connecting with Zoom or have audio/video problems, you may participate by phone; however, you shall contact Mr. Rodriguez that you will be participating by phone. The public comment hearing shall be transcribed for the record, and participants shall make sure that their microphones function properly so that the court reporter can hear you. The public comment hearing shall commence with an introduction. After that the introduction, each commenter shall be called by name in the order of registration. After providing public comment, the commenter shall exit the Zoom meeting or the host shall remove

you. These controls are imposed to ensure that the public comment hearing is conducted efficiently and to prevent purposefully disruptive activity. If you wish to view comments, you can view the public comment hearing on the Commission's YouTube channel at <https://www.nm-prc.org/public-hearings/>. If you are new to the Zoom platform, you may view the basics of how to utilize the platform at <https://support.zoom.us/hc/en-us/p/zoom-meetings-guide>.

E. The public comment hearing shall be livestreamed on YouTube.

F. Oral comments shall be limited to 3 minutes but may be shortened or extended at the discretion of the Commission.

G. Interested persons, who are not affiliated with a party in this Docket may additionally file written comments as allowed by Rule 1.2.2.23(F) NMAC.

H. Any interested person may examine NMGC's application, supporting documents, and other documents filed in the public record of this Docket No. 22-00309-UT on the Commission's website, <https://edocket.nmprc.state.nm.us>, or at the offices of NMGC at the following address:

New Mexico Gas Company
7120 Wyoming Blvd. NE, Suite 20
Albuquerque, New Mexico 87109
Telephone: (505) 697-3832

I. This Order is issued by a single Commissioner pursuant to 1.2.2.30(B)(2) NMAC.

J. A copy of this Order shall be served upon all persons listed on the attached Certificate of Service by e-mail, if e-mail addresses are known, or by regular mail.

K. This Order is effective immediately.

PERSONS WITH DISABILITIES

ANY PERSON WITH A DISABILITY REQUIRING SPECIAL ASSISTANCE TO PARTICIPATE IN THIS PROCEEDING SHOULD CONTACT THE COMMISSION 505) 469-3537 TO REQUEST SUCH ASSISTANCE AS SOON AS POSSIBLE, PREFERABLY AS SOON AS THE PERSON RECEIVES NOTICE OF THIS PROCEEDING TO ALLOW CONSIDERATION OF THE REQUEST AND TO ARRANGE FOR A POTENTIAL REASONABLE ACCOMMODATION.

ISSUED under the Seal of the Commission at Santa Fe, New Mexico, this 27th day of October, 2023.

NEW MEXICO PUBLIC REGULATION COMMISSION

/s/ Patrick J. O'Connell, electronically approved
PATRICK J. O'CONNELL, COMMISSIONER



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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing *Order Scheduling Public Comment Hearing* was e-mailed on this date to the parties listed below.

PRC Records Management Bureau	prc.records@prc.nm.gov;
Ana Kippenbrock	ana.kippenbrock@prc.nm.gov;
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DATED this 27th day of October, 2023.

NEW MEXICO PUBLIC REGULATION COMMISSION

/s/ LaurieAnn Santillanes, electronically signed
LaurieAnn Santillanes, Law Clerk